

**CHAITMAN LLP**

Helen Davis Chaitman

[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)

465 Park Avenue

New York, New York 10022

Phone & Fax: 888-759-1114

*Attorneys for Defendants-Appellants*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ESTATE OF SEYMOUR EPSTEIN,

MURIEL EPSTEIN, as beneficiary of the Estate of  
Seymour Epstein and/or trusts created by the Last  
Will and Testament of Seymour Epstein, as  
executor of the Estate and/or trustee of the Trusts  
created by the Last Will and Testament of Seymour  
Epstein, HERBERT C. KANTOR, trustee of the  
Trusts created by the Last Will and Testament of  
Seymour Epstein, and SHELBURNE SHIRT  
COMPANY, INC.,

Defendants-Appellants.

Adv. Pro. No. 10-04438 (CGM)

Appeal No. 1:21-cv-02334-CM

**DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD**

Pursuant to Federal Rule of Bankruptcy Procedure 8009, and in connection with the Notice of Appeal filed on March 15, 2021, (ECF No. 001), Appellants Estate of Seymour Epstein, Muriel Epstein, as executor of the Estate and trustee of the Trusts created by the Last Will and Testament of Seymour Epstein, and Jane Epstein, Randy Austin, and Susan Gross as successor co-trustees to Herbert C. Kantor, as trustee of the Trusts created by the Last Will and Testament of Seymour Epstein, (collectively, the “Appellants”) hereby designate the items to be included in the record on appeal to the United States District Court for the Southern District of New York from the Bankruptcy Court:

Filing Date	ECF No.	Docket Text
11/30/2010	<a href="#"><u>1</u></a> Case No.: 10-04438- cgm	Complaint against Estate of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc. . Nature(s) of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Filing fee \$250.00, Receipt # 635 CHARGE TO THE ESTATE) Filed by Richard J. Bernard, Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Bernard, Richard) Modified on 12/2/2010 (Slinger, Kathy). (Entered: 11/30/2010)

Filing Date	ECF No.	Docket Text
11/02/2011	<a href="#">14</a> Case No.: 10-04438- cgm	Motion to Withdraw the Reference <i>Joinder</i> filed by Helen Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein.(Attachments: 1Exhibit 1) (Chaitman, Helen) (Entered: 11/02/2011)
11/07/2011	<a href="#">1</a> Case No.: 1:11-cv- 07965-JSR	MOTION TO WITHDRAW THE BANKRUPTCY REFERENCE. Bankruptcy Court Case Numbers: 10-4438A, 08-1789 (BRL).Document filed by Randy Epstein Austin, Muriel Epstein, Herbert C. Kantor, Susan Epstein Gross, Jane Epstein, Robert Epstein, Shelburne Shirt Company, Inc., Estate of Seymour Epstein. (Attachments: # 1 Exhibit 1)(bkar) (Entered: 11/07/2011)

5/16/2012	<a href="#"><u>5</u></a> Case No.: 1:11-cv- 07965-JSR	<p>CONSENT ORDER GRANTING CERTIFICATION PURSUANT TO FED. R. CIV. P. 54(b) FOR ENTRY OF FINAL JUDGMENT DISMISSING CERTAIN CLAIMS AND ACTIONS: THE COURT THEREFORE FINDS, CONCLUDES AND ORDERS AS FOLLOWS: The reference is deemed withdrawn from the Bankruptcy Court in each of the Eligible Actions for the limited purpose of deciding whether Section 546(e) of the Bankruptcy Code applies, limiting the Trustee's ability to avoid transfers. The entry of final judgment dismissing the Dismissed Claims ("Rule 54(b) Judgment") in the Decided Actions, the Withdrawn 546(e) Actions and the Eligible Actions pursuant to Fed. R. Civ. P. 54(b) is appropriate. To permit entry of final judgment under Fed. R. Civ. P. 54(b), there must be multiple claims or multiple parties, at least one claim finally decided within the meaning of 28 U.S.C. § 1291, and an express determination that there is no just reason for delay. In re Air Crash at Belle Harbor, N.Y., 490 F.3d 99, 108-09 (2d Cir. 2007). The Rule 54(b) Judgment to be entered will finally decide and ultimately dispose of at least one claim and, in many instances, multiple claims, asserted by the Trustee in each of the Decided Actions and the Withdrawn 546(e) Actions and, to the extent that they do not opt-out of the Rule 54(b) Judgment pursuant to this Order, the Eligible Actions. See Curtiss-Wright Corp. v. General Elec. Co., 446 U.S. 1 (1980). By reason of the Court's determination that Section 546(e) applies to the Dismissed Claims, any counts in each complaint or amended complaint that seeks avoidance of constructive fraudulent transfers pursuant to Section 548(a)(1)(B) of the Bankruptcy Code, avoidance of actual or constructive fraudulent conveyances pursuant to state avoidance statutes incorporated through Section 544 of the Bankruptcy Code, and/or avoidance of preferences pursuant to Section 547 of the Bankruptcy Code, are finally determined and dismissed against the Trustee. The Trustee's remaining claims are limited only to those that are proceeding under Sections 548(a)(1)(A) and 550(a) of the Bankruptcy Code ("Remaining Claims"), and such claims would not be dismissed by reason of a judgment dismissing the Dismissed Claims. The Dismissed Claims and the Remaining Claims are separable, see Cullen v. Margiotta, 811 F.2d 698, 711 (2d Cir. 1987), and because of the application of Section 546(e) the Remaining Claims by the Trustee can be decided independently of the Dismissed Claims. See Ginett v. Computer Task Group, 962 F.2d 1085, 1094 (2d Cir. 1992). There is no just reason for delay in the entry of final judgment dismissing the Dismissed Claims. In light of the number of adversary proceedings, claims and defendants</p>
-----------	--	--

		<p>affected by dismissal of the Dismissed Claims pursuant to the Order, the interests of sound judicial administration and the realization of judicial efficiencies are served by the entry of such final judgment and the opportunity for an immediate appeal. See <i>Advanced Magnetics, Inc. v. Bayfront Partners, Inc.</i>, 106 F.3d 11, 16 (2d Cir. 1997) (entry of judgment on certain claims pursuant to Rule 54(b) avoids potentially expensive and duplicative trials). Because the Rule 54(b) Judgment and the dismissal of the Dismissed Claims affect hundreds of adversary proceedings commenced by the Trustee and hundreds of defendants named in those complaints or amended complaints, an immediate appeal would avoid protracted, expensive and potentially duplicative litigation proceedings, and will facilitate the prompt resolution of the case, thereby providing certainty and helping to streamline the litigation for further proceedings and possible appeals. E.g., <i>Consolidated Edison, Inc. v. Northeast Util.</i>, 318 F. Supp. 2d 181, 196-97 (S.D.N.Y. 2004); <i>Kramer v. Lockwood Pension Servs., Inc.</i>, 653 F. Supp. 2d 354, 397-98 (S.D.N.Y. 2009) (interlocutory appeal appropriate to consider a case of unusual significance "going well beyond run-of-the-mill concerns of parties"); <i>Brown v. Bullock</i>, 294 F.2d 415, 417 (2d Cir. 1961) (Friendly, J.) (interlocutory appeal appropriate where the "determination was likely to have precedential value for a large number of other suits" pending in the District Court). The Eligible Actions, Withdrawn 546(e) Actions, and Decided Actions are consolidated under the action captioned <i>Picard v. Ida Fishman Revocable Trust</i>, No. 11-cv-7603 (JSR) (S.D.N.Y.) (the "Fishman Action"), but solely with respect to and for the purposes of entry of judgment on the Dismissed Claims, and not with respect to the Trustee's claims proceeding under Sections 548(a)(1)(A) and 550(a) of the Bankruptcy Code. The Court will administer the consolidated proceedings under the following caption: (see order). Counsel for the Trustee, SIPC and the lead counsel in the Decided Actions and the Withdrawn 546(e) Actions shall submit an agreed form of the proposed Rule 54(b) Judgment not later than May 21, 2012. If the parties cannot agree on the form of such judgment, each of the Trustee and SIPC, on one hand, and the group of lead counsel for the Decided Actions and the Withdrawn 546(e) Actions, on the other hand, may submit a proposed form of judgment and the Court will consider and determine the form of Rule 54(b) Judgment to be entered. Neither the Trustee nor SIPC shall file any notice of appeal until the expiration of the opt-out period set forth. Any defendant in an Eligible Action or a Withdrawn 546(e) Action shall be entitled to opt-out of the</p>
--	--	--

Filing Date	ECF No.	Docket Text
		procedures established by this Order and to continue to litigate issues related to Section 546(e) in this Court pursuant to a common briefing schedule and procedure to be separately implemented by the Court. The defendant may opt-out by notifying the Trustee in writing that such defendant does not consent to the entry of a Rule 54(b) Judgment. To be effective and binding, such written election must be received by the Trustee and filed with the District Court in the docket of the Fishman Action not later than fourteen (14) days after the date of entry of this Order. For all other purposes, common briefing on Section 546(e) issues will proceed before the District Court pursuant to a separate order of the Court. The defendants in Eligible Actions and Withdrawn 546(e) Actions that do not elect to opt-out under this paragraph shall be deemed to have preserved and made all arguments relating to the application and effect of Section 546(e) of the Bankruptcy Code that were raised in the motions to dismiss in the Decided Actions. (Signed by Judge Jed S. Rakoff on 5/12/2012) (rjm) (Entered: 05/21/2012)
08/04/2014	<a href="#">7</a> Case No.: 1:11-cv- 07965-JSR	ORDER denying 1 Motion to Withdraw Bankruptcy Reference. On July 10, 2014, the Court issued an Order directing counsel to parties with individual issues not addressed by the Court's decisions in the consolidated withdrawals to inform the Court by letter by July 18, 2014. See ECF No. 552. The Court received several such letters and addressed the issues they raised in separate Orders. Any remaining motions to withdraw the reference are hereby denied and all the adversary proceedings are returned to the Bankruptcy Court. The Clerk of Court is directed to close all the civil cases seeking to withdraw the reference related to this matter. (Signed by Judge Jed S. Rakoff on 8/1/2014) (lmb) (Entered: 08/26/2014)
06/02/2015	<a href="#">39</a> Case No.: 10-04438- cgm?	Written Opinion Signed On 6/2/2015. Re: Memorandum Decision Regarding Omnibus Motions To Dismiss (Greene, Chantel) (Entered: 06/02/2015)
07/16/2015	<a href="#">42</a> Case No.: 10-04438- cgm	Order Signed On 07/16/2015 Re: Granting In Part And Denying In Part Defendants Motions To Dismiss (Greene, Chantel). (Entered: 07/16/2015)

Filing Date	ECF No.	Docket Text
09/16/2015	<a href="#">43</a> Case No.: 10-04438- cgm	Answer to Complaint (Related Doc # 1) (related document(s)1) filed by Helen Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 09/16/2015)
03/14/2019	<a href="#">87</a> Case No.: 10-04438- cgm	Order Signed On 3/6/2019 Re: Granting In Part And Denying In Part Trustees Motion For Limited Additional Discovery (Barrett, Chantel). (Entered: 03/14/2019)
02/14/2020	<a href="#">95</a> Case No.: 10-04438- cgm	Motion to Withdraw the Reference filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Shelburne Shirt Company, Inc.. (Attachments: # 1 Proposed Order # 2 Memorandum of Law in Support of Defendants' Motion to Withdraw the Reference # 3 Declaration of Helen Davis Chaitman # 4 Exhibit A # 5 Exhibit B) (Chaitman, Helen) (Entered: 02/14/2020)
02/18/2020	<a href="#">1</a> Case No.: 20-cv-01377- ghw	MOTION TO WITHDRAW THE BANKRUPTCY REFERENCE. Bankruptcy Court Case Numbers: 10-4438A, 08-1789A (SMB).Document filed by Estate of Seymour Epstein, Shelburne Shirt Company, Inc., Muriel Epstein. (Attachments: # <a href="#">1</a> Defendants Memorandum of Law In Support, # <a href="#">2</a> Declaration of Helen Davis Chaitman, # <a href="#">3</a> Exhibit A, # <a href="#">4</a> Exhibit B, # <a href="#">5</a> Proposed Order).(bkar) (Entered: 02/18/2020)



Filing Date	ECF No.	Docket Text
02/19/2020	<a href="#"><u>4</u></a> Case No.: 20-cv- 01377-ghw	ORDER re: <a href="#"><u>1</u></a> MOTION TO WITHDRAW THE BANKRUPTCY REFERENCE. Bankruptcy Court Case Numbers: 10-4438A, 08-1789A (SMB). filed by Shelburne Shirt Company, Inc., Estate of Seymour Epstein, Muriel Epstein. On February 18, 2020, Defendants submitted a motion to withdraw the bankruptcy referee. Dkt No. 1. Plaintiff is directed to file its opposition to the motion no later than March 12, 2020. Defendants' reply, if any, is due one week following service of Plaintiff's opposition., Responses due by 3/12/2020 (Signed by Judge Gregory H. Woods on 2/19/2020) (rj) (Entered: 02/20/2020)
03/06/2020	<a href="#"><u>5</u></a> Case No.: 20-cv- 01377-ghw	LETTER addressed to Judge Gregory H. Woods from Helen D. Chaitman dated March 6, 2020 re: Consent to Withdraw the Reference from the Bankruptcy Court. Document filed by Muriel Epstein, Estate of Seymour Epstein, Herbert C. Kantor, Shelburne Shirt Company, Inc.. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order).(Chaitman, Helen) (Entered: 03/06/2020)
03/09/2020	6 Case No.: 20-cv- 01377-ghw	ORDER. On March 6, 2020, the parties submitted a proposed order on consent to withdraw the reference from the Bankruptcy Court. That order has not been signed by the parties. The parties are directed to resubmit their proposed order with appropriate signatures. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (Daniels, Anthony) (Entered: 03/09/2020)
03/09/2020	<a href="#"><u>7</u></a> Case No.: 20-cv- 01377-ghw	PROPOSED ORDER. Document filed by Muriel Epstein, Estate of Seymour Epstein, Shelburne Shirt Company, Inc.. Related Document Number: <a href="#"><u>5</u></a> ..(Chaitman, Helen) <b>Proposed Order to be reviewed by Clerk's Office staff.</b> (Entered: 03/09/2020)
06/08/2020	<a href="#"><u>8</u></a> Case No.: 20-cv- 01377-ghw	ORDER: On February 18, 2020, Defendants submitted a motion to withdraw the bankruptcy reference. Dkt No. 1. The Court understands that Plaintiff intends to move for summary judgment on at least some claims in the underlying action. The Court thus declines to withdraw the bankruptcy reference and will instead refer the proposed motion for summary judgment for proposed findings of fact and conclusions of law. (Signed by Judge Gregory H. Woods on 6/8/2020) (mro) (Entered: 06/09/2020)



Filing Date	ECF No.	Docket Text
07/17/2020	9 Case No.: 20-cv- 01377-ghw	ORDER denying <a href="#">1</a> Motion to Withdraw Bankruptcy Reference. In light of the Court's prior order, Dkt No. 8, the motion to withdraw the bankruptcy reference, Dkt No. 1, is denied without prejudice. (HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (Daniels, Anthony) (Entered: 07/17/2020)
07/22/2020	<a href="#">10</a> Case No.: 20-cv- 01377-ghw	LETTER addressed to Judge Gregory H. Woods from Helen Davis Chaitman dated July 22, 2020 re: Defendants' Motion. Document filed by Randy Epstein Austin, Jane Epstein, Muriel Epstein, Robert Epstein, Estate of Seymour Epstein, Susan Epstein Gross, Herbert C. Kantor, Shelburne Shirt Company, Inc...(Chaitman, Helen) (Entered: 07/22/2020)
07/22/2020	<a href="#">11</a> Case No.: 20-cv- 01377-ghw	MEMO ENDORSEMENT on re: <a href="#">10</a> Letter, filed by Shelburne Shirt Company, Inc., Jane Epstein, Susan Epstein Gross, Randy Epstein Austin, Estate of Seymour Epstein, Robert Epstein, Herbert C. Kantor, Muriel Epstein. ENDORSEMENT: Defendants are directed to submit a pre- motion conference letter more fully setting out the bases for the proposed motion. The letter should address why the Court should not refer the proposed motion to dismiss to the bankruptcy court for a report and recommendation. The Court expects that Plaintiff will submit a responsive letter after Defendants have submitted their pre-motion conference letter. (Signed by Judge Gregory H. Woods on 7/22/2020) (mro) (Entered: 07/23/2020)
07/24/2020	<a href="#">12</a> Case No.: 20-cv- 01377-ghw	LETTER addressed to Judge Gregory H. Woods from Helen Davis Chaitman dated July 24, 2020 re: in accordance with this Courts order dated July 22, 2020 (ECF No. 11). Document filed by Randy Epstein Austin, Jane Epstein, Muriel Epstein, Robert Epstein, Estate of Seymour Epstein, Susan Epstein Gross, Herbert C. Kantor, Shelburne Shirt Company, Inc...(Chaitman, Helen) (Entered: 07/24/2020)
07/27/2020	<a href="#">13</a> Case No.: 20-cv- 01377-ghw	LETTER addressed to Judge Gregory H. Woods from Nicholas J. Cremona dated July 27, 2020 re: Response to Defendants' Letter dated July 24, 2020. Document filed by Irving H. Picard.. (Cremona, Nicholas) (Entered: 07/27/2020)

Filing Date	ECF No.	Docket Text
07/30/2020	15 Case No.: 20-cv- 01377-ghw	ORDER. As discussed on the record during the telephone conference held on July 29, 2020, Plaintiff's motion to withdraw the reference to the bankruptcy court and accompanying papers is due by August 10, 2020. Defendant's opposition is due two weeks following service of Plaintiff's motion. Plaintiff's reply is due one week following service of Defendant's opposition. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (Daniels, Anthony) (Entered: 07/30/2020)
08/12/2020	<a href="#">16</a> Case No.: 20-cv- 01377-ghw	LETTER addressed to Judge Gregory H. Woods from Helen Davis Chaitman dated August 12, 2020 re: Bankruptcy Court Proceedings. Document filed by Randy Epstein Austin, Jane Epstein, Muriel Epstein, Robert Epstein, Estate of Seymour Epstein, Susan Epstein Gross, Herbert C. Kantor, Shelburne Shirt Company, Inc...(Chaitman, Helen) (Entered: 08/12/2020)
08/12/2020	<a href="#">17</a> Case No.: 20-cv- 01377-ghw	MEMO ENDORSEMENT on <a href="#">16</a> Letter filed by Randy Epstein Austin, Jane Epstein, Muriel Epstein, Robert Epstein, Estate of Seymour Epstein, Susan Epstein Gross, Herbert C. Kantor, Shelburne Shirt Company, Inc. ENDORSEMENT: In light of Defendants' decision not to bring a motion to withdraw the bankruptcy reference, there is nothing more for this Court to do in this case. Accordingly, the Court dismisses the case without prejudice under Federal Rule of Civil Procedure 41(a)(2). The Clerk of Court is directed to terminate all pending motions and to close this case. (Signed by Judge Gregory H. Woods on 8/12/2020) (mro) (Entered: 08/13/2020)
06/09/2020	<a href="#">101</a> (7 pgs; 3 docs) Case No.: 10-04438- cgm	Letter to Judge Bernstein requesting Rule 7056-1(a) pre-motion conference Filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Exhibit A - Meisels Order # <a href="#">2</a> Exhibit B - Epstein Order)(Cremona, Nicholas) (Entered: 06/09/2020)

Filing Date	ECF No.	Docket Text
06/10/2020	<a href="#">103</a> (13 pgs; 2 docs) Case No.: 10-04438- cgm	Letter in response to Trustee's June 9, 2020 letter (10-04428 and 10-04438) Filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C.Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Attachments: # <a href="#">1</a> Exhibit A)(Chaitman, Helen) (Entered: 06/10/2020)
06/15/2020	<a href="#">105</a> (2 pgs) Case No.: 10-04438- cgm	Letter to Judge Bernstein regarding Rule 7056-1(a) pre-motion conference (related document(s) <a href="#">103</a> , <a href="#">101</a> ) Filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Cremona, Nicholas) (Entered: 06/15/2020)
07/27/2020	<a href="#">107</a> (8 pgs; 3 docs) Case No.: 10-04438- cgm	Letter to Judge Bernstein regarding status of adversary proceeding Filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Exhibit A # <a href="#">2</a> Exhibit B)(Cremona, Nicholas) (Entered: 07/27/2020)
07/30/2020	<a href="#">109</a> (3 pgs) Case No.: 10-04438- cgm	Order Signed On 7/30/2020 Re: Setting Deadlines For Trustees Motion For Summary Judgment And Defendants Cross-Motion To Dismiss For Lack Of Subject Matter Jurisdiction. (Barrett, Chantel) (Entered: 07/30/2020)

Filing Date	ECF No.	Docket Text
07/31/2020	<a href="#">110</a> (32 pgs) Case No.: 10-04438- cgm	Transcript regarding Hearing Held on 7/29/20 at 10:00 AM RE: Pre-Motion Conference. Remote electronic access to the transcript is restricted until 10/29/2020. The transcript may be viewed at the Bankruptcy Court Clerks Office. [Transcription Service Agency: Veritext Legal Solutions.]. (See the Courts Website for contact information for the Transcription Service Agency.). Notice of Intent to Request Redaction Deadline Due By 8/7/2020. Statement of Redaction Request Due By 8/21/2020. Redacted Transcript Submission Due By 8/31/2020. Transcript access will be restricted through 10/29/2020. (Cales, Humberto) (Entered: 08/06/2020)
08/14/2020	111 Case No.: 10-04438- cgm	<b>(Entered in Error. See Document #<a href="#">112</a>.)</b> Order of U.S. District Court Judge Gregory H. Woods signed on 8/12/2020. In light of Defendants' decision not to bring a motion to withdraw the bankruptcy reference, there is nothing more for this Court to do in this case. Accordingly, the Court dismisses the case without prejudice under Federal Rule of Civil Procedure 41(a)(2)(related document(s) <a href="#">95</a> ) (Foley, Christine) Modified on 8/18/2020 (Rouzeau, Anatin). (Entered: 08/14/2020)
08/18/2020	<a href="#">112</a> (1 pg) Case No.: 10-04438- cgm	Copy of Order of U.S. District Court Judge Gregory Woods signed on 8/12/2020. The District Court dismisses the case without prejudice. (related document(s) <a href="#">95</a> ) (Rouzeau, Anatin) (Entered: 08/18/2020)
09/04/2020	<a href="#">113</a> (3 pgs) Case No.: 10-04438- cgm	Motion for Summary Judgment / <i>Notice of Motion for Summary Judgment</i> filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. with hearing to be held on 11/18/2020 at 10:00 AM at Courtroom 723 (SMB) (Cremona, Nicholas) (Entered: 09/04/2020)
09/04/2020	<a href="#">114</a> (45 pgs) Case No.: 10-04438- cgm	Motion for Summary Judgment / <i>Trustees Memorandum of Law in Support of Motion for Summary Judgment</i> (related document(s) <a href="#">113</a> ) filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Cremona, Nicholas) (Entered: 09/04/2020)

Filing Date	ECF No.	Docket Text
09/04/2020	<a href="#">115</a> (33 pgs) Case No.: 10-04438- cgm	Motion for Summary Judgment / <i>Trustees Statement of Material Facts in Support of Motion for Summary Judgment</i> (related document(s) <a href="#">114</a> , <a href="#">113</a> ) filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Cremona, Nicholas) (Entered: 09/04/2020)
09/04/2020	<a href="#">116</a> (579 pgs; 13 docs) Case No.: 10-04438- cgm	Declaration / <i>Declaration of Nicholas J. Cremona in Support of Trustees Motion for Summary Judgment</i> (related document(s) <a href="#">115</a> , <a href="#">113</a> , <a href="#">114</a> ) filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Ex. 1 # <a href="#">2</a> Ex. 2 # <a href="#">3</a> Ex. 3 # <a href="#">4</a> Ex. 4 # <a href="#">5</a> Ex. 5 # <a href="#">6</a> Ex. 6 # <a href="#">7</a> Ex. 7 # <a href="#">8</a> Ex. 8 # <a href="#">9</a> Ex. 9 # <a href="#">10</a> Ex. 10 # <a href="#">11</a> Ex. 11 # <a href="#">12</a> Ex. 12) (Cremona, Nicholas) (Entered: 09/04/2020)
09/04/2020	<a href="#">117</a> (166 pgs; 29 docs) Case No.: 10-04438- cgm	Declaration / <i>Declaration of Lisa M. Collura, CPA, CFE, CFF</i> (related document(s) <a href="#">115</a> , <a href="#">113</a> , <a href="#">114</a> ) filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Attach. A # <a href="#">2</a> Ex. 1 # <a href="#">3</a> Ex. 2 # <a href="#">4</a> Ex. 3 # <a href="#">5</a> Ex. 4 # <a href="#">6</a> Ex. 5 # <a href="#">7</a> Ex. 6 # <a href="#">8</a> Ex. 7 # <a href="#">9</a> Ex. 8.1 # <a href="#">10</a> Ex. 8.2 # <a href="#">11</a> Ex. 9 # <a href="#">12</a> Ex. 10 # <a href="#">13</a> Ex. 11 # <a href="#">14</a> Ex. 12 # <a href="#">15</a> Ex. 13 # <a href="#">16</a> Ex. 14 # <a href="#">17</a> Ex. 15 # <a href="#">18</a> Ex. 16 # <a href="#">19</a> Ex. 17 # <a href="#">20</a> Ex. 18 # <a href="#">21</a> Attach. B # <a href="#">22</a> Ex. 1 # <a href="#">23</a> Ex. 2 # <a href="#">24</a> Ex. 3 # <a href="#">25</a> Ex. 4 # <a href="#">26</a> Ex. 5 # <a href="#">27</a> Ex. 6 # <a href="#">28</a> Attach. C) (Cremona, Nicholas) (Entered: 09/04/2020)
09/04/2020	<a href="#">118</a> (1377 pgs; 42 docs)	Declaration / <i>Declaration of Bruce G. Dubinsky, MST, CPA, CFE, CVA, CFF, CAMS, MAFF</i> (related document(s) <a href="#">115</a> , <a href="#">113</a> , <a href="#">114</a> ) filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Attach. A # <a href="#">2</a> Appx. A (1) # <a href="#">3</a> Appx. A (2) # <a href="#">4</a> Appx. B (1) # <a href="#">5</a> Appx. B (2) # <a href="#">6</a> Ex. 1 # <a href="#">7</a> Ex. 2 # <a href="#">8</a> Ex. 3 # <a href="#">9</a> Ex. 4 # <a href="#">10</a> Ex. 5 # <a href="#">11</a> Ex. 6 # <a href="#">12</a> Ex. 7 # <a href="#">13</a> Ex. 8 # <a href="#">14</a> Ex. 9 # <a href="#">15</a> Ex. 10 # <a href="#">16</a> Ex. 11 # <a href="#">17</a> Ex. 12 # <a href="#">18</a> Ex. 13 # <a href="#">19</a> Ex. 14 # <a href="#">20</a> Ex. 15 # <a href="#">21</a> Ex. 16 # <a href="#">22</a> Ex. 17 # <a href="#">23</a> Ex. 18 # <a href="#">24</a> Ex. 19 # <a href="#">25</a> Ex. 20 # <a href="#">26</a> Ex. 21 # <a href="#">27</a> Ex. 22 # <a href="#">28</a> Ex. 23 # <a href="#">29</a> Ex. 24 # <a href="#">30</a> Ex. 25 # <a href="#">31</a> Ex. 26 # <a href="#">32</a> Ex. 27 # <a href="#">33</a> Ex. 28 # <a href="#">34</a> Ex. 29 # <a href="#">35</a> Ex. 30 # <a href="#">36</a> Ex. 31 # <a href="#">37</a> Ex. 32 # <a href="#">38</a> Ex. 33 # <a href="#">39</a> Ex. 34 # <a href="#">40</a> Ex. 35 # <a href="#">41</a> Attach. B) (Cremona, Nicholas) (Entered: 09/04/2020)

Filing Date	ECF No.	Docket Text
09/04/2020	<a href="#">119</a> (101 pgs; 20 docs) Case No.: 10-04438- cgm	Declaration / <i>Declaration of Matthew B. Greenblatt, CPA/CFF, CFE</i> (related document(s) <a href="#">115</a> , <a href="#">113</a> , <a href="#">114</a> ) filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Attach. A # <a href="#">2</a> Ex. 1 # <a href="#">3</a> Ex. 2 # <a href="#">4</a> Ex. 3 # <a href="#">5</a> Ex. 4 # <a href="#">6</a> Ex. 5 # <a href="#">7</a> Ex. 6 # <a href="#">8</a> Ex. 7 # <a href="#">9</a> Ex. 8 # <a href="#">10</a> Attach. B # <a href="#">11</a> Ex. 1 # <a href="#">12</a> Ex. 2 # <a href="#">13</a> Ex. 3A # <a href="#">14</a> Ex. 3B # <a href="#">15</a> Ex. 4A # <a href="#">16</a> Ex. 4B # <a href="#">17</a> Ex. 5 # <a href="#">18</a> Ex. 6 # <a href="#">19</a> Attach. C) (Cremona, Nicholas) (Entered: 09/04/2020)
10/09/2020	<a href="#">121</a> (3 pgs) Case No.: 10-04438- cgm	Cross Motion for Summary Judgment filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C.Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 10/09/2020)



Filing Date	ECF No.	Docket Text
10/09/2020	<a href="#">122</a> (50 pgs) Case No.: 10-04438- cgm	Memorandum of Law <i>in Opposition to the Trustees Motion for Summary Judgment and in Support of Defendants Cross-Motion for Summary Judgment Dismissing the Complaint</i> (related document(s) <a href="#">121</a> ) filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C.Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 10/09/2020)
10/09/2020	<a href="#">123</a> (67 pgs) Case No.: 10-04438- cgm	Response to Motion <i>Opposition and Response to Trustees Rule 56.1 Statement of Material Facts</i> (related document(s) <a href="#">115</a> ) filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C.Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 10/09/2020)



Filing Date	ECF No.	Docket Text
10/09/2020	<a href="#">124</a> (22 pgs) Case No.: 10-04438- cgm	Counter Statement of <i>Material Facts in Opposition to the Trustees Motion for Summary Judgment and in Support of Defendants Cross-Motion for Summary Judgment Dismissing the Complaint</i> filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 10/09/2020)

Filing Date	ECF No.	Docket Text
10/09/2020	<a href="#">125</a> (1016 pgs; 48 docs) Case No.: 10-04438- cgm	Declaration of <i>Helen Davis Chaitman in Opposition to the Trustees Motion for Summary Judgment and in Support of Defendants Cross-Motion for Summary Judgment Dismissing the Complaint</i> (related document(s) <a href="#">121</a> ) filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C.Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Attachments: # <a href="#">1</a> Exhibit A # <a href="#">2</a> Exhibit B # <a href="#">3</a> Exhibit C # <a href="#">4</a> Exhibit D # <a href="#">5</a> Exhibit E # <a href="#">6</a> Exhibit F # <a href="#">7</a> Exhibit G # <a href="#">8</a> Exhibit H # <a href="#">9</a> Exhibit I # <a href="#">10</a> Exhibit J # <a href="#">11</a> Exhibit K # <a href="#">12</a> Exhibit L # <a href="#">13</a> Exhibit M # <a href="#">14</a> Exhibit N # <a href="#">15</a> Exhibit O # <a href="#">16</a> Exhibit P # <a href="#">17</a> Exhibit Q # <a href="#">18</a> Exhibit R # <a href="#">19</a> Exhibit S # <a href="#">20</a> Exhibit T # <a href="#">21</a> Exhibit U # <a href="#">22</a> Exhibit V # <a href="#">23</a> Exhibit W # <a href="#">24</a> Exhibit X # <a href="#">25</a> Exhibit Y # <a href="#">26</a> Exhibit Z # <a href="#">27</a> Exhibit AA # <a href="#">28</a> Exhibit AB # <a href="#">29</a> Exhibit AC # <a href="#">30</a> Exhibit AD # <a href="#">31</a> Exhibit AE # <a href="#">32</a> Exhibit AF # <a href="#">33</a> Exhibit AG # <a href="#">34</a> Exhibit AH # <a href="#">35</a> Exhibit AI # <a href="#">36</a> Exhibit AJ # <a href="#">37</a> Exhibit AK # <a href="#">38</a> Exhibit AL # <a href="#">39</a> Exhibit AM # <a href="#">40</a> Exhibit AN # <a href="#">41</a> Exhibit AO # <a href="#">42</a> Exhibit AP # <a href="#">43</a> Exhibit AQ # <a href="#">44</a> Exhibit AR # <a href="#">45</a> Exhibit AS # <a href="#">46</a> Exhibit AT # <a href="#">47</a> Exhibit AU) (Chaitman, Helen) (Entered: 10/09/2020)
10/30/2020	<a href="#">129</a> (29 pgs) Case No.: 10-04438- cgm	Memorandum of Law / <i>Trustees Reply Memorandum of Law in Further Support of Motion for Summary Judgment</i> filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Cremona, Nicholas) (Entered: 10/30/2020)

Filing Date	ECF No.	Docket Text
10/30/2020	<a href="#">130</a> (50 pgs) Case No.: 10-04438- cgm	Declaration / <i>Trustees Responses and Objections to Defendants' Counterstatement of Material Facts</i> filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Cremona, Nicholas) (Entered: 10/30/2020)
10/30/2020	<a href="#">131</a> (68 pgs; 3 docs) Case No.: 10-04438- cgm	Declaration / <i>Declaration of Seanna R. Brown in Further Support of Trustees Motion for Summary Judgment</i> filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Exhibit 1 # <a href="#">2</a> Exhibit 2) (Cremona, Nicholas) (Entered: 10/30/2020)
11/06/2020	<a href="#">136</a> (27 pgs) Case No.: 10-04438- cgm	Reply to Motion <i>Defendants Reply Memorandum of Law in Further Support of Their Cross-Motion for Summary Judgment Dismissing the Complaint</i> filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 11/06/2020)
01/27/2021	<a href="#">155</a> (11 pgs) Case No.: 10-04438- cgm	Memorandum Decision Granting Summary Judgment in Favor of Trustee, Determining Funds Held in the Bank Accounts are Customer Property, and Awarding Prejudgment Interest signed on 1/27/2021. (related document(s) <a href="#">113</a> ) (DuBois, Linda) (Entered: 01/27/2021)

Filing Date	ECF No.	Docket Text
02/02/2021	<a href="#">156</a> (2 pgs) Case No.: 10-04438- cgm	Letter to the Honorable Cecelia G. Morris (related document(s) <a href="#">155</a> ) Filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 02/02/2021)
02/03/2021	<a href="#">157</a> (74 pgs; 5 docs) Case No.: 10-04438- cgm	Letter to Chief Judge Morris regarding Epstein Judgment Filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Attachment A # <a href="#">2</a> Attachment B # <a href="#">3</a> Attachment C # <a href="#">4</a> Attachment D)(Cremona, Nicholas) (Entered: 02/03/2021)
02/04/2021	<a href="#">158</a> (12 pgs; 2 docs) Case No.: 10-04438- cgm	Judgment signed on 2/4/2021. (DuBois, Linda) Additional attachment(s) with JUDGEMENT INDEX NUMBER BC 21,0005 added on 2/22/2021 (Rouzeau, Anatin). Modified on 2/22/2021 (Rouzeau, Anatin). (Entered: 02/04/2021)

Filing Date	ECF No.	Docket Text
02/04/2021	<a href="#">159</a> (20 pgs; 3 docs) Case No.: 10-04438- cgm	Letter to <i>Honorable Cecelia G. Morris</i> (related document(s) <a href="#">157</a> ) Filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Attachments: # <a href="#">1</a> Exhibit A # <a href="#">2</a> Exhibit B)(Chaitman, Helen) (Entered: 02/04/2021)
02/05/2021	<a href="#">160</a> (15 pgs) Case No.: 10-04438- cgm	Motion to Stay <i>Memorandum of Law in Support of Motion for Relief From Judgment, Consideration of Objections, Entry of Counter-Proposed Order and Stay of Judgment Pending Appeal</i> filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 02/05/2021)

Filing Date	ECF No.	Docket Text
02/05/2021	<a href="#">161</a> (44 pgs; 8 docs)  Case No.: 10-04438- cgm	Declaration of <i>Helen Davis Chaitman</i> (related document(s) <a href="#">160</a> ) filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Attachments: # <a href="#">1</a> Exhibit A # <a href="#">2</a> Exhibit B # <a href="#">3</a> Exhibit C # <a href="#">4</a> Exhibit D # <a href="#">5</a> Exhibit E # <a href="#">6</a> Exhibit F # <a href="#">7</a> Exhibit G) (Chaitman, Helen) (Entered: 02/05/2021)
02/05/2021	<a href="#">162</a> (3 pgs)  Case No.: 10-04438- cgm	Motion to Stay <i>Notice of Motion for Relief From Judgment, Consideration of Objections, Entry of Counter-Proposed Order and Stay of Judgment Pending Appeal</i> (related document(s) <a href="#">160</a> ) filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Chaitman, Helen) (Entered: 02/05/2021)

Filing Date	ECF No.	Docket Text
02/24/2021	<a href="#">164</a> (25 pgs) Case No.: 10-04438- cgm	Memorandum of Law / <i>Trustees Memorandum of Law in Opposition to Defendants Motion for Relief from Judgment, Consideration of Objections, Entry of Counter-Proposed Order and Stay of Judgment Pending Appeal</i> filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Cremona, Nicholas) (Entered: 02/24/2021)
02/24/2021	<a href="#">165</a> (37 pgs; 3 docs) Case No.: 10-04438- cgm	Declaration / <i>Declaration of Nicholas J. Cremona in Support of Trustees Memorandum of Law in Opposition to Defendants Motion for Relief from Judgment, Consideration of Objections, Entry of Counter-Proposed Order and Stay of Judgment Pending Appeal</i> (related document(s) <a href="#">164</a> ) filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Attachments: # <a href="#">1</a> Exhibit 1 # <a href="#">2</a> Exhibit 2) (Cremona, Nicholas) (Entered: 02/24/2021)
02/26/2021	<a href="#">167</a> (12 pgs; 2 docs) Case No.: 10-04438- cgm	Memorandum of Law <i>Defendants' Memorandum of Law in Further Support of their Motion for Relief from a Judgment, Consideration of Objections, Entry of Counter-Proposed Order and Stay of Judgment Pending Appeal</i> (related document(s) <a href="#">162</a> ) filed by Helen Davis Chaitman on behalf of Estate of Seymour Epstein, Herbert C. Kantor, as trustee of Trusts created by the Last Will and Testament of Seymour Epstein, Jane Epstein, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, Muriel Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by Last Will and Testament of Seymour Epstein, as executor of the Estate and/or trustee of the Trusts created, Randy Epstein Austin, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the last Will and Testament of Seymour Epstein, Robert Epstein, as beneficiary of the Estate of Seymour Epstein and/or Trusts created by the Last Will and Testament of Seymour Epstein, Shelburne Shirt Company, Inc., Susan Epstein Gross, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein. (Attachments: # <a href="#">1</a> Certificate of Service) (Chaitman, Helen) (Entered: 02/26/2021)



Filing Date	ECF No.	Docket Text
03/03/2021	<a href="#">168</a> (4 pgs) Case No.: 10-04438- cgm	Order Denying Motion to Reargue and Denying Stay Pending Appeal signed on 3/3/2021. (related document(s) <a href="#">160</a> ) (DuBois, Linda) (Entered: 03/03/2021)
03/03/2021	<a href="#">169</a> (10 pgs) Case No.: 10-04438- cgm	Memorandum Decision Denying Motion to Reargue and Denying Stay Pending Appeal signed on 3/3/2021. (related document(s) <a href="#">160</a> ) (DuBois, Linda) (Entered: 03/03/2021)

Dated: March 27, 2021  
New York, New York

**CHAITMAN LLP**

By: /s/ Helen Davis Chaitman

Helen Davis Chaitman, Esq.  
465 Park Ave.  
New York, New York 10022  
Telephone: (888) 759-1114  
Facsimile: (888) 759-1114  
[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)  
*Attorneys for Appellants*

**CERTIFICATE OF SERVICE**

I, Helen Davis Chaitman, hereby certify that I caused a true and correct copy of the foregoing documents(s) to be served upon the parties in this action who receive electronic service through CM/ECF. I certify under penalty of perjury that the foregoing is true and correct.

Dated: March 27, 2021

/s/ Helen Davis Chaitman